

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA

CORNELL JOUBERT

NO. 2-22-CV-01620

VERSUS

JUDGE JAMES D. CRAIN, JR

PROGRESSIVE HOME INSURANCE

MAGISTRATE: KATHLEEN KAY

OPPOSITION TO REPORT AND RECOMMENDATION BY THE MAGISTRATE

NOW INTO COURT, through undersigned counsel, come the Plaintiff,
Cornell Joubert, who respectfully submit the following:

Counsel shows that he filed pleadings/complaint in the above referenced matter as a result of the Hurricane activity that has plagued Southwestern Louisiana for the past several years. As a result of several unfortunate events in this country, Covid-19 to name one, and the professional labor force shortage, counsel has been undermanned and understaffed.

Counsel inadvertently did file pleadings that were not signed or verified by his signature as required under the Rules of Federal Procedure. When counsel learned of this error, he filed corrective pleadings showing his affixed signature as required by the code.

The magistrate's report recommends that this matter be dismissed without prejudice for this code violation. While the magistrate is within her rights under the code, this recommendation does not allow for the mover to correct the defect and allow the plaintiff her day in court. As stated above, corrective documents have been filed and the matter should be allowed to move forth.

Counsel for plaintiff did respond in a reasonable amount of time after being notified of the error. The threat of this report is more than adequate to deter these types of errors.

Respectfully submitted,

Harry E. Cantrell, Jr.
HARRY E. CANTRELL, JR.

1615 Poydras Street Ste 900
New Orleans, LA 70126
Cantrellgroup164@gmail.com
504-577-6977